



Public Notice

US Army Corps
Of Engineers
Memphis District

REPLY TO ATTN: Randy Clark
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-0735
Fax : (901) 544-0211
E-Mail: James.R.Clark @usace.army.mil

PUBLIC NOTICE NO:
MVM-2009-219

PUBLIC NOTICE DATE:
May 26, 2009

EXPIRATION DATE:
June 25, 2009

POSTMASTER PLEASE POST UNTIL

Public Notice Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: Mr. Ricky Chandler
Chandler Demolition Company, Inc.
1223 North Watkins Street
Memphis, Tennessee 38108
(901) 544-0735

Ms. Lisa C. Gandy, PhD, PWS
Whitenton Group, Inc.
Environmental Consultants
13280 Rivercrest Drive
Little Rock, Arkansas

LOCATION: The project is located west of Interstate 40 between Levee Road and the Wolf River in Memphis, Shelby County, Tennessee (shown on the attached map). The site is located at approximate latitude 35.19° and longitude -89.94° on the NW Memphis, 7.5 minute quadrangle map.

PURPOSE: The purpose of this project is to expand a full-service commercial, industrial and residential demolition landfill in Memphis, Tennessee. The existing landfill has been in operation for nearly 30 years.

DESCRIPTION OF WORK: The applicant proposes to place fill on approximately 0.37 acres of low quality wetlands that lies contiguous to its existing Class III/IV landfill (see attached map). Fill placed into this wetland will be the result of land filling and grading activities associated with the expansion of the existing landfill and necessary recontouring or the landfill side slopes.

The applicant proposes to mitigate impacts to the 0.37- acre wetland off-site at the Wolf River Wetland Mitigation Bank. This bank is located in the same watershed (Wolf River) in Fayette County upstream of the proposed Chandler Demolition Landfill expansion site. Approximately 7.25 credits of mature wetland currently are available for immediate/release/sale at the Wolf River Wetland Mitigation Bank.

WATER QUALITY CERTIFICATION: The applicant should contact the Tennessee Department of Environment and Conservation, Division of Water Pollution Control (TDEC) at (615) 532-0713 or TDEC, 7th Floor L. & C. Annex Building, 401 Church Street, Nashville, Tennessee 37243-1534 and request water quality certification. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to issuance of a Corps of Engineers permit. The Department will consider all relative comments in the decision to grant or deny water quality certification for the proposed activity. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed in the register which will be affected by the work. The consultation of the National Register will constitute the full extent of cultural resources investigation by this office unless we are made aware as a result of comments received in response to the notice or by other means of the existence of specific structures or sites which might be affected by the work. Copies of the notice are being sent to the State Archaeologist and the State Historic Preservation Officer.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the project, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Randy Clark at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-0735. The Corps may provide copies of all comments, including the names and address of commenters, to the applicant for consideration and response prior to a decision.

Comments should be received by **June 25, 2009**.

Attachment



Larry D. Watson
Chief
Regulatory Branch



Shelby County



General Project Area



Project Location

Background Resources:
USGS DRG (1:100,000)
Shelby

Surveyor(s):
Lisa Gandy PhD, PWS
Scott Jecker CWB, PWS

Figure 1
Location and Vicinity Map
Shelby County, Tennessee

Whitenton Group, Inc.
ENVIRONMENTAL CONSULTANTS

13280 Rivercrest Drive Little Rock Arkansas 72212

Coordinate Type:
UTM NAD 1983
Zone 15 North

Map Created:
3/28/2009 by Dan Ray

Project Number:
0901

Project:
Chandler Demolition Landfill Expansion
Chandler Demolition Company, Inc.

0 3,250 6,500 13,000
Feet





Chandler Demolition Property Boundary



Proposed Landfill Expansion (3.2 Acres)



0.37 Acre Wetland To Be Filled

Background Resources:
USGS 1-Meter DOQ
NW Memphis
Base Map Provided by:
Fisher & Arnold, Inc.

Surveyor(s):
Lisa Gandy PhD, PWS
Scott Jecker CWB, PWS

Figure 3
Proposed Fill Into Waters of the U.S.
Shelby County, TN

Whitenton Group, Inc.
ENVIRONMENTAL CONSULTANTS

13280 Rivercrest Drive Little Rock Arkansas 72212

Coordinate System:
UTM NAD 1983
Zone 15 North

Map Created:
3/29/2009 by Dan Ray

Project Number:
0901

Project:
Chandler Demolition Landfill Expansion
Chandler Demolition Company, Inc.

0 200 400 600 Feet

